

## **REMARKS/ARGUMENTS**

Claims 29-54 are currently pending in this application. Claims 29, 38 and 44 have been amended.

### ***Claim Objections***

Claim 44 has been amended to correct the spelling of catalyst.

### ***35 USC §112 Rejections***

Claim 44 has been amended to remove zinc.

### ***35 USC §102 & §103 Rejections***

The claims have been amended to conform to those found allowable in the parent patent U.S. Patent 6,156,689, namely claim 29 has been amended to correspond with '689 claim 1; claim 38 has been amended to correspond with '689 claim 22; and claim 44 has been amended to correspond with '689 claim 23. It appears that the Examiner has rejected the presently pending claims 29-54 over substantially the same art and for substantially the same reasons as the rejections in the parent patent. The claims of the '689 patent are drawn to a novel catalyst composition, and the presently pending claims as amended are drawn to methods of using such catalysts for the conversion of hydrocarbons. Given that the catalyst composition is novel and patentable, use of such compositions should also be novel and patentable over the prior art of record for the same reasons as set forth in the parent patent. In order to provide a complete record, Applicants have summarized these reasons with respect to each of the prior art references listed in the present office action and to the extent necessary to overcome the prior art, hereby incorporate by reference herein the previous reasons in their entirety.

Various of the claims stand rejected under 35 USC §102(b) as being anticipated by or alternatively under 35 USC §103 as being obvious in view of *Kaeding* (US 4,078,009). The

Examiner relies upon *Keading* as disclosing steam heating. As explained by Applicants in the response to office action dated December 10, 1998, heating in air is not the same as heating in steam, and thus the rejections are improper, as further evidenced by Table IV of the specification and the declaration of Inventor Yao showing unexpected, beneficial results from heating with steam, a copy of which is included herewith for the Examiner's convenience (Attachment A).

Various of the claims stand rejected under 35 USC §102(b) as being anticipated by or alternatively under 35 USC §103 as being obvious in view of *Chu* (US 4,720,602). As noted in the response to office action dated December 10, 1998, *Chu* does not disclose the zinc compounds specifically recited in the amended claims and the *Chu* composition is not steam treated, and thus the rejections are improper.

Various of the claims stand rejected under 35 USC §102(e) as being anticipated by, in the alternative, *Drake* (US 6,255,243), *Drake* (US 6,083,865), *Drake* (US 6,063,975); *Drake* (US 5,898,089); or *Drake* (US 5,883,034). Each of these patents claims priority back to Application, No. 08/890,540, filed July 9, 1997, which has been previously antedated via the Rule 1.131 declaration of October 1999, a copy of which is included herewith for the Examiner's convenience (Attachment B). Therefore, these patents are not available as prior art against the present application.

Various of the claims stand rejected under 35 USC §102(e) as being anticipated by *Yao* (US 5,895,828). *Yao* does not disclose steam treatment, and therefore is not a 102(e) reference against the amended claims because *Yao* does not disclose each and every element of the claimed invention. Furthermore, *Yao* is not available as a reference under 35 USC §103 as set forth in §103 (c) based on the following statement of common ownership.

## STATEMENT OF COMMON OWNERSHIP

Application number 09/691,494 (the present application) and the prior art reference *Yao* (U.S. Patent 5,895,828) were, at the time the invention of Application 09/691,494 was made, owned by Phillips Petroleum Company.

### ***Double patenting rejections***

Terminal disclaimers are being provided for each of U.S. Patent Nos. 6,235,955; 6,063,975; 5,898,089; and 5,895,828.

## CONCLUSION

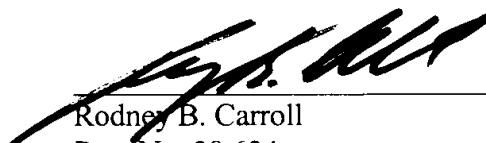
Applicants respectfully submit that the present application as amended is in condition for allowance. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288. The Commissioner is hereby authorized to charge payment of any fee associated with any of the foregoing papers submitted herewith to Deposit Account No. 50-1515, Conley Rose, P.C.

Respectfully submitted,

CONLEY ROSE, P.C.

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